IN THE HIGH COURT OF BOMBAY AT GOA

CIVIL APPLICATION NO. 279 OF 2005

IN

SECOND APPEAL NO. 127 OF 2005

SHRI DASHARATH SHABI/SHANU CHODANKAR AND ANR., ...Applicants

Versus

SHRI BABU BABAL KOLE AND 5 ORS., ...Respondents

Mrs. A. Agni, Advocate for the applicants.

Mr. Valmiki Menezes, Advocate for Respondents No. 1 to 4.

Coram:- A. P. LAVANDE, J.

Date:- 20th April, 2006

P.C.

Heard Mrs. Agni for the applicant and Mr. Menezes for respondents No.1 to 4. Pending the hearing and final disposal of the Second Appeal No. 127/2005, the respondents No.1 to 4 shall not carry out any further construction in the property bearing Survey Nos.42/2 and 43/2 except to the extent of 190 sq. metres of land which has been purchased by respondent No.2. However, construction, if any, undertaken by the respondents No.1 to 4 in the said area of 190 sq. metres shall be subject to the result of Second Appeal No.127/2005. Further, pending the hearing and final disposal of the second appeal, the respondents No.1 to 4 shall not cut any trees from the property bearing Survey Nos. 42/2 and 43/2. The application stands disposed of.

A. P. LAVANDE, J.

ssm.